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AVIATOR WARD IS MAKING HIS WAY WESTWARD AT GOOD SPEED

He Has Left Maze of Railroad Tracks That Bewildered Him Yesterday and Is Following a Straight Course.

LANDED FOR DINNER AT MIDDLETOWN, N. Y.

Machine Behaved Badly on Part of Trip and Caused Him to Descend Once to Make Slight Repairs.

(By Evening Herald A. P. Leased Wire) Middlesboro, N. Y., Sept. 14.—James H. Ward, the youthful aviator, resumed his flight at 8:25 o'clock this morning towards the Pacific coast. The first leg of the journey in his flight was made yesterday when he flew from Middlesboro to Middletown, N. Y., where he landed for dinner. There he will get more gasoline and try to reach Elmdale, 225 miles from today's starting point, before night-fall.

Well out of the maze of railroad tracks that led him astray yesterday, as soon as he left Middletown, Ward expected no trouble today in finding his way. He planned to follow the tracks of the Erie railroad and make his first stop at Middletown, N. Y., about six miles away. There he will get more gasoline and try to reach Elmdale, 225 miles from today's starting point, before night-fall.

HE TAKES DINNER AT MIDDLETOWN, N. Y. Middletown, N. Y., Sept. 14.—James Ward, the aviator, after descending near Tuxedo, resumed his flight and landed here at noon today.

Six thousand persons were on hand to greet Ward when he alighted in a big field. The aviator was in the best of spirits and expects to make good time after leaving here. The machine worked badly after leaving Middletown, compelling him to alight once near Smithfield, N. Y. Ward resumed his flight at 3:48 p. m. His next scheduled stop is Sunapee, N. H.

FOWLER RUSHES WORK ON HIS AEROPLANE

Colfax, Cal., Sept. 14.—Aviator Robert O. Fowler and his mechanics began construction of a new biplane today from the parts of the machine wrecked Tuesday, the second day of Fowler's flight from San Francisco to New York. New parts arrived today from Ogden. Except for a slight soreness of one leg, Fowler is uninjured.

The aviator is the guest of Colfax. The Colfax Gun club has contributed \$250 and the citizens another \$250 to help him defray the expense of reconstructing his biplane. Excursions conducted by the management of the narrow gauge railroad running out of here will add to this fund.

Fowler said he would be ready to renew his journey Saturday and that his mechanics told him that possibly he would be able to start earlier. He said he was confident that he could make the trip over the Sierra.

WOLGAST FIGHT TO BE STAGED IN NEW YORK

It Is Planned to Pull Off Bout Anyhow; Thirty Thousand Dollars Worth of Tickets Have Been Sold.

(By Evening Herald A. P. Leased Wire) Milwaukee, Wis., Sept. 14.—Following the calling off of the two round night between lightweight champion Wolgast and Paeky McFarland, scheduled for this city tomorrow night, it is believed an effort will be made to stage the bout on the Pacific coast or in New York.

MEXICO OFFICIAL DIES ON BOAT

Senator Jose Maria Gumbon Succumbs While at Sea Aboard Steamer Mexico, According to Wireless Report.

(By Evening Herald A. P. Leased Wire) On Board Steamer Mexico, en route from Vera Cruz to New York, Sept. 14, via United Wireless.—Senator Jose Maria Gumbon, formerly assistant secretary of state for Mexico, and since Mexican minister to Argentina, died yesterday on board the Mexico.

PROHIBITION IN MAINE IS STILL A MATTER OF DOUBT

It Appears Today on Face of Returns That the Proposed Amendment to Constitution Was Defeated.

MAJORITY HOWEVER IS VERY SLIGHT

(By Evening Herald A. P. Leased Wire) Portland, Me., Sept. 14.—The fate of constitutional prohibition in Maine remained in doubt early today. On the face of the unofficial returns there appeared to be a very small majority on the prohibition side. In two instances, however, the unofficial returns from the town and city clerks do not agree with the figures sent by the same clerks to the secretary of state at Augusta.

Returns received at the office of the secretary of state up to noon today showed only six towns missing, and these supplied by return received in Portland showed:

For repeal of prohibition, 46,517.
Against repeal, 46,338.
Majority for repeal, 179.

If the figures received in Portland from Limestone, Morrill and Topsham, which have been shown to be reversed as compared with those received in Augusta, are allowed, they will show a victory against the repeal of 338.

An official recount will probably be necessary to determine the result of the balloting.

RAILWAY STOCKS HIT LOW MARK IN HISTORY

Surprising Slumps Took Place on Exchange Today When New York, New Haven and Hartford Went to 120 7-8.

(By Evening Herald A. P. Leased Wire) New York, Sept. 14.—Stock of the New York, New Haven and Hartford railroad sold on the stock exchange today at 120 7-8, the lowest price this issue has reached since it was placed on a settled dividend paying basis, following the organization of the company in 1872.

Losses elsewhere were still more extensive. Western Maryland preferred fell more than eight points. Southern railway preferred lost four.

Late in the day's trading the market suddenly reversed its position and climbed upward, until the losses were eliminated in many cases.

CLARKE LEAVES THE D. AND R. G.

Ill Health Is Given As Cause for Resignation of Second Vice President; He May Go to Texas and Pacific.

(By Evening Herald A. P. Leased Wire) Denver, Colo., Sept. 14.—The resignation of Horace W. Clarke, second vice president and general manager of the Denver and Rio Grande railroad, was announced here yesterday. His health is assigned as the reason.

JOHNSON CAUGHT IN WYOMING

Man Wanted in Texas for Breaking Jail, Locking Up His Jailer and Breaking Other Laws Is Apprehended

(By Evening Herald A. P. Leased Wire) Laramie, Wyo., Sept. 14.—J. A. Johnson, alias Malone, was arrested here today, on information from the sheriff of Benjamin, Texas, where he is wanted for selling mortgaged property, breaking jail and locking the jailer up in his efforts to escape. He will be taken back to Texas.



A "Touching" Scene in the Bolters' Camp.

CRAZED PHYSICIAN SHOTS HIS WIFE AND SUICIDES

Eudora, Kansas is Scene of Tragedy Following Separation of Family; Dr. Payne Had Been Drinking.

(By Evening Herald A. P. Leased Wire) Lawrence, Kans., Sept. 14.—Dr. C. C. Payne of Eudora, Kansas, shot and seriously wounded his wife and his mother-in-law, Mrs. M. E. Smith, at noon today and then turned the revolver upon himself, inflicting a wound from which he died instantly.

The shooting occurred at the home of Mrs. Smith. Mrs. Payne left her home in Eudora last Monday, taking her two children, aged 12 and 14 years. She and her husband had been separated once before, but had patched up their differences. Dr. Payne, it is said, had been drinking heavily when he rushed into the Smith home today and fired upon the two women.

Dr. Payne formerly lived in Topeka, Kansas. Mrs. Payne's former home was in Okmulgee, Kansas.

GERMANY WILLING TO AGREE ON MOROCCO

It Is Not Believed Proposition Submitted by France Will Be Acquiesced in at Once But It Will Pave Way.

(By Evening Herald A. P. Leased Wire) Paris, Sept. 14.—While it is hardly expected that the German reply to the communication of France reaching Berlin today will be an acceptance on every point, yet the spirit of the semi-official observations on the Moroccan dispute made by the foreign minister, creates favorable impressions officially in Paris of an approaching agreement.

ITALIANS FLEEING FROM VOLCANO

Mount Etna Is Now Belching Seething Mass and Lava Floods Drive People From Their Homes.

(By Evening Herald A. P. Leased Wire) Catania, Sicily, Sept. 14.—The 20,000 inhabitants of Castiglione and Francavilla turned their backs on their homes today, fleeing before the advancing flood of lava from Mount Etna.

Both towns are threatened with destruction.

MAN HUNT GOES ON FOR ABDUCTOR OF SCHOOL TEACHER AT RIVERSIDE

Brute Who Held Young Woman in Lonely Woods for Thirty Hours Has Thus Far Eluded Posses.

(By Evening Herald A. P. Leased Wire) Manitowish, Minn., Sept. 14.—Searching for the abductor of Miss Eleanor Gladys Price, 160 men beat the bushes all last night while a cordon of armed men, seven miles long, was drawn along the border.

Miss Price, a Riverside school teacher, returned to her home Tuesday night in a state of nervous collapse and said that a man, believed to be Henry (Bill) Wilson, alias "Bill" Miner, of Hannah, S. D., had detained her for 35 hours in the dense woods near Snowflake, Manitoba.

Bloodhounds were put on the trail and picked up the scent five miles from the school house where Miss Price said that the man had captured her Monday afternoon. The man was surrounded but managed to escape and so far has eluded capture.

EARL'S COURT WILL BE SCENE OF BATTLE

Johnson Will Fight Wells There According to Present Plans; the Directors Have Privilege.

(By Evening Herald A. P. Leased Wire) London, Sept. 14.—The directors of Earl's court, which is controlled by the American amusement promoter, Calvin Brown, decided today to allow the Johnson-Wells fight to take place, having been advised that the holding of the contest will conform with the terms of their license.

COUNTERFEITERS ARE AT WORK IN WEST

Secret Service Agents Busy Engaged in Looking for Gang on Pacific Coast That Is Making Bills.

(By Evening Herald A. P. Leased Wire) Washington, Sept. 14.—The secret service is organizing a vigorous effort to clean up a gang of national bank note counterfeiters now operating on the Pacific coast, after losing for a year.

Another specimen of the work of the gang came to light today, when the secret service unearthed a ten-dollar bill, not of the "buffalo head" type, bearing the portraits of Lewis and Clark.

LEXINGTON WILL SUPPRESS RACE NEWS BY WIRE

All Telegraph Instruments and Messenger Service Were Ordered Taken From the Course Before Fall.

(By Evening Herald A. P. Leased Wire) Lexington, Ky., Sept. 14.—At a meeting of the state racing committee today it was decided not to permit any racing news to be sent from the Lexington track when fall racing began today. All wires were ordered removed and the messenger service stopped.

KEENESE HORSE WINS BOIS PLATE TODAY

Doncaster, England, Sept. 14.—The Bois plate of 200 sovereigns for two-year-olds, distance three-quarters of a mile, run here today, was won by James H. Keene's Outran. St. Nouts was second and Buck Shanks third. There were five starters.

EAST RIVER WINS PRINCE DE VELEY

Paris, Sept. 14.—The Prix Du Veley, run at Enghien today, was won by J. E. Widener's East River.

COPPER KING GOES BROKE BECAUSE OF SLUMP

Reginald H. Ward Declares That Embarrassment However, Is Only Temporary and He Will Pay Out.

(By Evening Herald A. P. Leased Wire) London, Sept. 14.—The financial affairs of Reginald H. Ward, who at one time, in the role of a "Copper King," figured prominently in certain monetary circles of this city, were today placed in the hands of an official receiver in bankruptcy. Mr. Ward explains that extensive declines in copper prices, in which he is interested, were responsible for his embarrassment, which he maintains is only temporary. He intends, he says, to continue in business.

The rates suspended were to be applied to shipments from Springfield, Illinois, and Southern Illinois mines to points in Kansas and Nebraska. The advances were proposed for the railways in western trunk line territory.

A MONSTER TIMBER SALE ON INDIAN RESERVATION IS ARRANGED

Government Will Make About Two Million Dollars in the Transfer of Holdings of Arizona Lands.

ALBUQUERQUE MEN TO ASSIST IN SALE

(By Evening Herald A. P. Leased Wire) Washington, Sept. 14.—Arrangements for the largest timber sale ever undertaken by the government, involving approximately 600,000,000 board feet of merchantable timber, nine-tenths of it yellow pine, are being made by the departments of agriculture and interior.

The tract, said to be the largest body of good timber left in the southwest, comprises parts of the Apache and Sitgreaves national forests and Fort Apache Indian reservation in Eastern Arizona. It must be sold to the highest bidder.

This sale will bring to the government from \$1,000,000 to \$2,000,000, as no bid of less than \$2.50 per thousand will be considered for timber cut during the first five years of the contract, nor of less than \$3.00 per thousand for that cut during the following years.

All the timber must be cut in ten years. Other large bodies aggregating 1,500,000 board feet will be made accessible. All this will open up good coal lands.

That the timber referred to in the above Washington dispatch is one of the largest blocks ever advertised for sale by the federal government; that the sale will be of great benefit to Navajo and Apache counties in northern Arizona, and that it will mean the expenditure of several millions of dollars was the comment today of F. S. Woolsey, Jr., associate forester of the Third district of the United States forest service. When shown the Associated Press dispatch regarding the proposed sale, Mr. Woolsey said:

"The timber alluded to in the Washington dispatch is now being advertised for sale for a period of 120 days. The timber would have to be logged to Holbrook on the main line of the Santa Fe. Probably fifty miles of railroad must be constructed in order to tap the timber, which is one of the best summer timbers of western yellow pine now left in the southwest. Within the area advertised there are sections running well over 5,000,000 feet and individual trees with as high as six and seven merchantable sixteen foot logs. The sale of the timber is being made jointly by the interior and agricultural departments and if awarded will be under the supervision of the forest service and the bureau of Indian affairs. On account of the fact that the arguments for the stumpage will be possible for the purchasers to work on a much smaller amount of capital. The sale will, of course, be of great benefit to Navajo and Apache counties in Arizona. The timber is one of the largest blocks ever advertised by the federal government."

The complete regulations governing the sale of the tract may be had upon application to the district forester, United States forest service, Albuquerque, N. M. The local forestry officials have been working on the details of the sale for many months and will take a prominent part in the final proceedings.

CHINAMEN CAUGHT COMING INTO COUNTRY

Latest System of Smuggling Near Los Angeles Is by the Automobile; Several Shots Were Fired at Fugitives.

(By Evening Herald A. P. Leased Wire) Los Angeles, Cal., Sept. 14.—After an exciting chase in which several shots were fired, a Chinese, charged with the smuggling of an automobile containing three contraband Chinese near Burbank, ten miles from here, last night, The Chinese, together with the driver of the automobile, were brought here and lodged in jail, pending a further investigation of what the authorities declare is a well organized ring to smuggle Chinese into this country by automobile across the Mexican boundary.

W. W. C. A. HEADQUARTERS ARE OPENED IN DENVER

(By Evening Herald A. P. Leased Wire) Denver, Colo., Sept. 14.—Permanent headquarters for the west central division of the Young Women's Christian association have been located here. The territory includes Colorado, Kansas, New Mexico, Oklahoma, Utah and Wyoming. The work is in charge of Mrs. William Shaw Ward.

GOVERNOR ALDRICH SAYS THE COURTS TRY TO ENACT NEW LAWS

Meeting of Executives Aroused by Stinging Attack on Bench by Nebraskan in Speech Today.

INTERSTATE RATES WERE BEING DEBATED

(By Evening Herald A. P. Leased Wire) Springfield, N. J., Sept. 14.—Addressing the conference of governors now today, Governor Herbert S. Hastings of Missouri, spoke on the right of the state to fix interstate traffic rates. He was succeeded by Governor Aldrich of Nebraska, who said:

Governor Chester H. Aldrich of Nebraska, author of the Nebraska railway rate law, addressed the convention of governors today on "The Right of the States to Fix Interstate Traffic Rates." Governor Aldrich made a plea for state authority in the regulation of public utilities, and gave the results of the operation of the Nebraska rate law to illustrate his argument.

"We have just read in a recent decision of nation-wide importance," said he, "where our supreme court has gone into the legislative business. It is now becoming quite the thing for federal courts of inferior jurisdiction to the supreme court of the United States, to invade the province and rights of these sovereign states by subterfuge, cunning device, and fallacious reasoning and thus nullify state laws and tie up generally the government of the states, depriving them of their right to control their own internal commerce."

"The right to enact statutes and regulate such corporations to the end that only just and reasonable charges may be made, is inherent in a state legislature for that commerce which lies wholly within its borders, and the power and duty to say what is reasonable and just when such an issue is tendered, devolves not upon the legislature, but upon the courts of this land."

"In other words, the idea that courts can legislate either directly or indirectly is repugnant to our entire scheme of government. When a court, in an issue tendered, has said that a certain rate or fixed charge is unjust and unreasonable, then it has used its power to its fullest extent, and the overwhelming weight of authority establishes these propositions, and whenever a court steps outside of this particular province, it is not only autocratic, but may be accused justly of arrogating power and authority that belongs to another department of our government."

"I am here to say that the legislation of today, as carried on and regulated by the several states of this union is, in the main, just and equitable and fair and that railroad companies doing business today under these regulations are prosperous."

"As a notable instance of this, I call your attention to my own state in its regulation of the common carriers therein. I here make the assertion that under the regulation through the freight rate law, the passenger rate law, and the railway commission, the railroads of the state of Nebraska are on a better business basis and on better terms with the people of the state and so business with them more satisfactorily than they have ever done before in the history of their existence."

"Under the two-cent fare law, the following figures will show that the business of this state in passenger traffic has greatly increased:

	Ticket sales	Conductors
January, February, March and April.	Cash ticket	Collectors
1908	\$1,248,127.63	\$71,651.56
1909	1,578,812.37	85,372.36
1910	1,821,815.71	86,517.92
1911	1,870,985.62	86,248.35

"The summary for the same months in the same years on all roads in the state shows the following interstate ticket sales and cash fares collected by conductors:

	Ticket sales	Conductors
Interstate	Cash ticket	Collectors
1908	\$714,841.47	\$10,793.47
1909	844,632.89	11,060.30
1910	985,219.19	8,749.15
1911	915,241.95	7,267.19

"The railway commission of Nebraska has been in force and effect for four years. More than a thousand orders and judgments have been entered during that time by this commission affecting the common carrier and the public. Of the 850 judgments and orders that have been entered by the commission of my state, only two of them have been appealed from. They have forced a better service; have forced the railway companies to build many new depots, to re-ballast their tracks, to make various concessions, have forced them to change time schedules, have made them put on trains and have done innumerable things for the general betterment of the service of the company and the public."

"I know not what other states may think, but I can speak for my own state and say that she demands the right and the privilege to be allowed